



10-20-06  
IAP13 Rec'd PCT/PTO 19 OCT 2006 PCT C-C \$

Express Mailing Label No. EV 403484706 US

PATENT APPLICATION

Docket: 16542.16.1a.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


In re application of: )  
)  
Devin Leake, et al. )  
) Art Unit  
Serial No.: 10/551,350 ) Unknown  
)  
Confirmation No.: 3238 )  
)  
Filed: September 30, 2005 )  
)  
For: MODIFIED POLYNUCLEOTIDES )  
FOR USE IN RNA INTERFERENCE )

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19 day of October 2006:

- Response to Notice to File Missing Parts of Application (3 pgs.) (in duplicate)
- Combined Declaration and Power of Attorney (7 pgs.)
- Petition for Extension of Time (2 pgs.) (in duplicate)
- Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$130.00
- Certificate of Express Mail
- Postcard

Respectfully submitted,

  
John C. Stringham  
Attorney for Applicant  
Registration No. 40,831  
Customer No. 022913



☐ A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.

☐ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27

☒ A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)

☒ To render the Response timely filed, enclosed are the following:

☒ Petition for a One (1) Month Extension of Time.

☐ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the fee for the extension of time.

☒ Form PTO-2038 submitting Credit Card Payment in the amount of \$250.00 is enclosed to cover:

☐ The \$ \_\_\_\_\_ statutory basic filing fee.

☐ The \$ \_\_\_\_\_ recordation fee of the enclosed assignment.

☒ The \$130.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).

☒ The \$120.00 extension for response within first month fee.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

☒ Any additional filing fees required under 37 C.F.R. § 1.16.

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

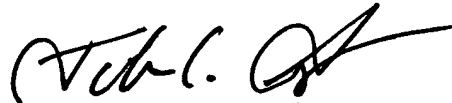
     The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

Dated this 19<sup>th</sup> day of October, 2006.

Respectfully submitted,



John C. Stringham  
Attorney for Applicant  
Registration No. 40,831  
Customer No. 022913

JCS:sch

**BEST AVAILABLE COPY**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,350	Devin Leake	16542.16.1a.3

022913  
 WORKMAN NYDEGGER  
 (F/K/A WORKMAN NYDEGGER & SEELEY)  
 60 EAST SOUTH TEMPLE  
 1000 EAGLE GATE TOWER  
 SALT LAKE CITY, UT 84111

INTERNATIONAL APPLICATION NO.	
PCT/US04/10343	
I.A. FILING DATE	PRIORITY DATE
04/01/2004	04/02/2003

CONFIRMATION NO. 3238

371 FORMALITIES LETTER

\*OC000000020078843\*

Date Mailed: 08/18/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 03/28/2006
- Copy of IPE Report filed on 05/08/2006
- Preliminary Amendments filed on 09/30/2005
- Biochemical Sequence Diskette filed on 09/30/2005
- Biochemical Sequence Listing filed on 09/30/2005
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005
- Power of Attorney filed on 07/27/2006
- Specification filed on 09/30/2005
- Claims filed on 09/30/2005
- Abstracts filed on 09/30/2005
- Drawings filed on 09/30/2005
- Paper nucleotide sequence listings filed on 09/30/2005

**DOCKETED**  
 Atty SR File # 16542.16.1a.3  
 By dm On 8/15/06  
 Action MISSING  
 Response Due 10/18/06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,350	PCT/US04/10343	16542.16.1a.3